

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 00-6273-CR-HUCK


UNITED STATES OF AMERICA,

Plaintiff,

vs.

ARIEL HERNANDEZ, et al.,

Defendant.

FILED BY 
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CLERK U.S. DIST. CT.
S.D. OF FLA. - MIA

UNOPPOSED MOTION TO ENLARGE TIME TO FILE EX-PARTE REPORT

THE DEFENDANT, ARIEL HERNANDEZ, by and through the undersigned counsel, respectfully moves this Honorable Court for entry of an Order enlarging the time within which to file the Court Ordered Ex-Parte Report, and in support thereof would state:

1. At a status conference held on February 5, 2001 the Court directed counsel for the Defendant, Ariel Hernandez, to submit an Ex-Parte Report which outlines the anticipated preparation necessary to make the defense submission the Government in opposition of the Death Penalty.
2. Fewer than 60 days have elapsed since the Court appointed William D. Matthewman, Esq. to assist the undersigned with regard to the Capital Penalty Issues.
3. On February 5, 2001, Mr. Matthewman began trial in the matter of *USA v. Ramsay, Nigel*, Case No. 99-8150 CR RYSKAMP which the parties hope to conclude by February 15, 2001. Mr. Matthewman has advised the undersigned, that as a result of his participation in the *Ramsey* trial, he will be unable to complete the Ex-Parte Report by the close of business today Friday, February 9, 2001 and requests that the Court enlarge the time for filing this report until the close of business on

NON-COMPLIANCE OF S.D. Fla. L.R. 21A4



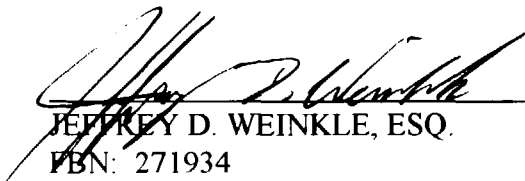
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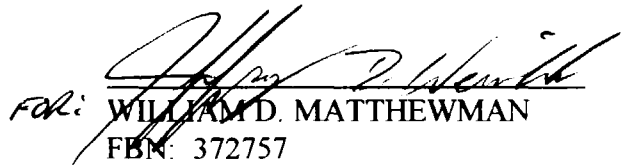
Monday, February 12, 2001.¹

4. The undersigned has conferred with AUSA Larry Levicchio who has stated that the Government has no objection to the Granting of this Motion..

WHEREFORE, the Defendant respectfully moves this Honorable Court to enter its Order enlarging the time for filing the Ex-Parte Report until the close of business on Monday, February 12, 2001.

Respectfully submitted,


JEFFREY D. WEINKLE, ESQ.
FBN: 271934


FOR: WILLIAM D. MATTHEWMAN
FBN: 372757

¹ The Court will recall that at the Status Conference, the undersigned announced that he was also standing in for Mr. Matthewman, who was beginning trial before Judge Ryskamp that same morning.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed/delivered this
__9th__ day of February, 2001, to: UNITED STATES ATTORNEY'S OFFICE, AUSA Jeffrey
Sloman and AUSA Lawrence Lavecchio, 500 E. Broward Blvd., Ft. Lauderdale, FL 33394 (Fax:
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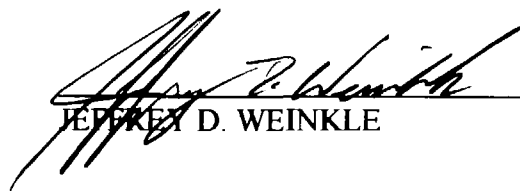
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